

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**ROBERT THOMAS IRVIN,**

**Plaintiff,**

**v.**

**CLARKSVILLE GAS & WATER  
DEPARTMENT, et al.,**

**Defendants.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**No. 3:11-mc-00024  
Judge Campbell**

**ORDER**

The plaintiff, proceeding *pro se*, is a resident of Clarksville, Tennessee. The plaintiff has filed a “Motion for an Interlocutory Order” (Docket No. 1) and an “Ex Parte Petition for an Interlocutory Order” (Docket No. 2).

The plaintiff has not paid the three hundred fifty dollar (\$350.00) civil filing fee. Neither has he submitted an application to proceed *in forma pauperis* in lieu thereof.

The Clerk is **DIRECTED** to send the plaintiff a blank application to proceed *in forma pauperis*. The plaintiff, in turn, is directed to do one of the following within thirty (30) days of the date that he receives this order: (1) **either** pay the full three hundred fifty dollar (\$350.00) filing fee; (2) **or** complete the application to proceed *in forma pauperis* provided and return the properly completed application to the district court.

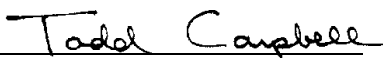
The plaintiff is forewarned that if he does not comply with this order within the 30-day time frame specified, the court is required under the law to presume that he is not a pauper, assess the full amount of the filing fee, and dismiss the action for want of prosecution. *McGore v. Wrigglesworth*, 114 F.3d 601, 605 (6<sup>th</sup> Cir. 1997), *overruled on other grounds by Jones v. Bock*, 549 U.S. 199 (2007). If the plaintiff’s case is dismissed under these circumstances, it will not be reinstated to the

court's active docket despite subsequent payment of the filing fee or correction of any documentary deficiency. *Id.*

An extension of time to comply with this order may be requested from this court if a motion for an extension of time is filed within thirty (30) days of the date of entry of this order. *Floyd v. United States Postal Service*, 105 F.3d 274, 279 (6<sup>th</sup> Cir. 1997), *superseded on other grounds by* Rule 24, Fed. R. App. P.

Because this action will not be filed until either (1) the plaintiff's application to proceed *in forma pauperis* is granted, or (2) he pays the three hundred fifty dollar (\$350.00) civil filing fee, should the plaintiff fail to submit the requested information or to pay the \$350.00 filing fee within the time frame specified, any limitations period applicable to this action will no longer be tolled, and the plaintiff's lawsuit could be dismissed.

It is so **ORDERED**.

  
\_\_\_\_\_  
Todd J. Campbell  
United States District Judge